

REMARKS

Claims 1-21 remain in the application for consideration by the Examiner.

Reconsideration and withdrawal of the outstanding restriction requirement are respectfully requested in light of the following remarks.

The Office Action alleges that the application includes claims to be patentably distinct groups including Group I, Claims 1-10, 19 and 20, drawn to a specific digital signal processor, and Group II, Claims 11-18 and 21, drawn to a general processing arrangement.

At the onset, Applicant notes that 35 U.S.C. § 121, the basis for a restriction requirement, provides for restriction only if two or more independent and distinct inventions are claimed in one application. While § 802.01 of the MPEP indicates that a restriction between independent or distinct inventions is permissible, such section of the MPEP is clearly erroneous in view of the plain and unambiguous language of 35 U.S.C. § 121.

A review of the Office Action reveals that the Examiner has failed to clearly indicate how the subject matter recited in the claims in issue relating to the respective groups represents both independent and distinct inventions as required by 35 U.S.C. § 121.

In this connection, the above noted section of the MPEP defines the term "independent" as meaning that there is no disclosed relationship between the two or more subjects disclosed. That is, they are unconnected in design, operation or effect. Surely, the Examiner is not contending that the respective embodiments recited in the claims in issue have no undisclosed relationship, for if such were the case, the

Examiner's contention is clearly without merit, as a review of the instant application reveals.

In order to comply with the Examiner's requirement, Applicants provisionally elect, with traverse, for prosecution on the merits, Group II, Claims 11-18 and 21, which are drawn to a general processing arrangement.

In view of the foregoing remarks, reconsideration of this application is respectfully requested, and an early and favorable action upon all the claims is earnestly solicited.

Should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner contact the undersigned in order to expeditiously resolve any outstanding issues.

To the extent necessary, Applicant petitions for an Extension of Time under 37 CFR 1.136. Please charge any fees in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 20-0668 of Texas Instruments Incorporated.

Respectfully submitted,



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